

## ENVIRONMENTAL PROTECTION COMMISSION[567]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 466.8, 455B.291 and 455B.299, the Environmental Protection Commission (Commission) hereby gives Notice of Intended Action to amend Chapter 93, “Nonpoint Source Pollution Control Set-Aside Programs,” Iowa Administrative Code.

These amendments are intended to implement 2013 Iowa Acts, House File 311, section 4, passed by the Legislature and signed by the Governor on April 24, 2013. 2013 Iowa Acts, House File 311, section 4, amended Iowa Code section 466.8 to allow homeowners inside city limits and without a public sewer connection to access the low-interest loan program known as the Onsite Wastewater Assistance Program to repair or replace failing septic systems. This rule making is necessary to implement the revised law.

Prior to the passage of 2013 Iowa Acts, House File 311, only homeowners outside city limits could utilize the Onsite Wastewater Assistance Program for repair and replacement of failing septic systems. However, there are a significant number of homes that are served by septic systems inside city limits. These homes often do not have a sewer connection available because of cost or location. With the legislative change, homeowners inside city limits now have access to the Onsite Wastewater Assistance Program for repair or replacement of failing septic systems. This loan program provides low-interest loans, typically 3 percent, for a term as long as 10 years, which provides affordable payments to homeowners. The loans are linked deposit loans provided by local lenders and administered by the Iowa Finance Authority.

Any person may submit written suggestions or comments on the proposed amendments through December 12, 2013. Such written material should be submitted to Daniel Olson, NPDES Section, Iowa Department of Natural Resources, 502 East 9th Street, Des Moines, Iowa 50319-0034, fax (515)281-8895, or by e-mail to [daniel.olson@dnr.iowa.gov](mailto:daniel.olson@dnr.iowa.gov). Persons who have questions may contact Daniel Olson by e-mail or by telephone at (515)281-8263.

A public hearing will be held on December 4, 2013, from 3:30 to 5:30 p.m. in the 5E Conference Room of the Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa. Persons attending the public hearing may present their views orally or in writing. At the hearing, persons will be asked to provide their names and addresses for the record and to confine their remarks to the proposed rule making.

Any person who intends to attend the public hearing and has special requirements, such as those related to mobility or hearing impairments, should contact the Department to advise of any specific needs.

After analysis and review of this rule making, a positive impact on jobs should result.

These amendments are intended to implement Iowa Code section 466.8 as amended by 2013 Iowa Acts, House File 311, section 4.

The following amendments are proposed.

ITEM 1. Amend subrule 93.3(1) as follows:

**93.3(1)** *Onsite wastewater treatment and disposal systems set-aside.* The purpose of this set-aside is to assist ~~rural~~ homeowners to rehabilitate or improve existing onsite wastewater treatment and disposal systems.

ITEM 2. Amend paragraph **93.4(1)“a”** as follows:

a. *Location restrictions.* Assistance is available for the improvement or rehabilitation of onsite wastewater treatment systems ~~located outside of corporate boundaries. Assistance cannot be provided~~

for improvements to or rehabilitation of onsite systems located within incorporated limits serving homes that do not have a connection to a publicly owned treatment works.